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August 6, 2025

CM/ECF

The Honorable Evelyn Padin
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: Parties' Joint Update and Request to Further Defer Setting Deadlines to October 7
Mendham Methodist Church, et al. v. Morris County, et al., Case No. 2:23-cv-2347

Dear Judge Padin:

Pursuant to section II.E.iii of Your Honor's General Pretrial and Trial Procedures, Plaintiffs the Mendham Methodist Church and the Zion Lutheran Church Long Valley ("Plaintiffs"), Defendants Morris County, Morris County Board of County Commissioners, Morris County Historic Preservation Trust Fund Review Board, and John Krickus ("Defendants"), and Intervenor-Defendant the Attorney General of New Jersey ("Intervenor," and, together with Plaintiffs and Defendants, the "Parties"), by and through their undersigned counsel, hereby jointly write to follow up on the Parties' stipulated deadline (ECF 82) to propose further deadlines by August 8. As explained below, the Parties request that the Court further defer the parties' date to propose further deadlines to October 7, 2025. No scheduling order has been set in this case and no other deadlines will need to be extended.

Meaningful updates in this case support allowing the Parties additional time to discuss the most expeditious path toward final resolution of this case. As discussed in the Parties' prior letter, Defendants responded to this Court's Opinion (ECF 72) and Order (ECF 73) granting Plaintiffs' motion for preliminary injunction (ECF 49) by removing the enjoined Section 5.6.4 of the Morris County Open Space, Farmland, Floodplain Protection and Historic Preservation Trust Fund Rules and Regulations. Defendants simultaneously adopted a new Section 5.8.8, which makes religious institutions eligible for grant funds for certain purposes.

Last month, Morris County's Board of County Commissioners voted to approve one proposed project from both Plaintiffs in this case. The terms of these grants are currently being finalized. Counsel for all Parties are continuing to exchange information on the specific grants and the overall process, and anticipate that with additional time, the Parties will be able to come to agreement on the material facts in this case so as to simplify final resolution. The Parties

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therefore jointly request that the Court permit the Parties until October 7, 2025, to propose further case deadlines to the Court. *

Very truly yours,

/s/ Mark M. Roselli

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Counsel for Plaintiffs

/s/ William G. Johnson (by consent)

William G. Johnson (NJ No. 001471992)
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Matthew J. Platkin
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Intervenor

By: /s/ Michael L. Zuckerman (by consent)
Michael L. Zuckerman (NJ No. 427282022)
Deputy Solicitor General

***The request is GRANTED. However, there will be no further extensions of this deadline. An in-person Case Management Conference is scheduled before the Undersigned on October 15, 2025 at 10:30 a.m. in Courtroom 2B.**

SO ORDERED

/s/ Jessica S. Allen

Hon. Jessica S. Allen, U.S.M.J.

Date: 8/7/25